

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et. al.,

Defendants

Civil Action: **04-30126-MAP**

**DONALD C. HUTCHINS' CLARIFICATION BRIEF REGARDING THE
CURRENT STATUS OF CUYAHOGA COUNTY, OHIO CASE NO. 540066**

The Compliant Corporation ("Compliant") has filed a motion requesting this court to take judicial notice of Cuyahoga County, Ohio Case No. 540066. Compliant's stated reason for this motion is to use Case No. 540066 in terms of *res judicata* to bolster Compliant's motion for summary judgment currently before this Court.

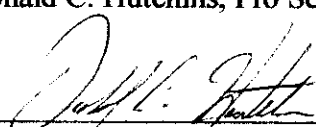
Case No. 540066 is on appeal before The Supreme Court of Ohio as Appeal No. 06-0741. A copy of the Ohio Supreme Court "Case Information Statement" is attached

Respectfully submitted

The Plaintiff

Donald C. Hutchins, Pro Se

Dated: 4/27/06

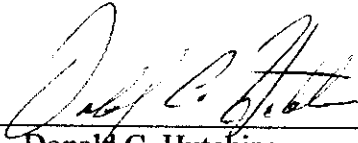


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CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate parties by sending a copy by United States mail to: Randall T. Skaar, Esq. Patterson, Thunte, Skaar & Christensen, P.A., 4800 IDS Center, 80 South 8th St. Minneapolis, Minnesota; 55402, Paul H. Rothschild, Esq. Bacon & Wilson, P.C., 33 State St., Springfield, MA 01103; John J. Egan Esq., Egan, Flanagan and Cohen, P.C., 67 Market St., Springfield, MA 01102-9035, Colleen O'Neil Esq., Calfee, Halter & Griswold LLP, 1400 McDonald Investment Center, 800 Superior Avenue, Cleveland, OH 44114.

Dated: 4/20/06



Donald C. Hutchins